## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

DEVON JAY FINLEY,	)
Plaintiff,	)
-VS-	) Case No. CIV-15-0941-F
OKLAHOMA COUNTY SHERIFF'S OFFICE, et al.,	) )
Defendants.	) )

## **ORDER**

Plaintiff, a prisoner who appears *pro se*, initiated a complaint under 42 U.S.C. § 1983. Magistrate Judge Bernard M. Jones issued a Report and Recommendation on September 21, 2015. Doc. no. 7 (the Report). The Report recommends that the court deny plaintiff's application to proceed in forma pauperis, and that it dismiss this action without prejudice unless plaintiff pays the \$400.00 filing fee in full to the Clerk of the Court within twenty days of an order adopting the Report and Recommendation.

The Report advises plaintiff of his right to file an objection to the Report with the Clerk of this Court by October 5, 2015, and advises that failure to make timely objection to the Report waives plaintiff's right to appellate review of factual and legal issues contained in the Report. Plaintiff has not filed an objection or response to the Report, and plaintiff has not paid the filing fee.

After review, and with no objection having been filed, the Report and Recommendation of Magistrate Judge Jones is **ACCEPTED**, **ADOPTED** and **AFFIRMED** in its entirety. Plaintiff's application for authorization to proceed without prepayment of the filing fee is **DENIED**. Plaintiff is required to pay the full

\$400 filing fee within twenty days of the date of this order. If plaintiff does not do so, this action will then be dismissed without prejudice for failure to pay the filing fee. Dated this  $6^{th}$  day of October, 2015.

STEPHEN P. FRIOT

UNITED STATES DISTRICT JUDGE

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